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June 24, 2019

Honorable Lorna G. Schofield
United States District Judge, S.D.N.Y.
Thurgood Marshal Court House
40 Foley Square
New York, NY 10007
By ECF

Re: United States v. Albert Foozailov
Docket No. 17-CR-262 (LGS)

Dear Judge Schofield:

I write on behalf of my client, Albert Foozailov, to request a new sentencing date, currently scheduled for July 25, 2019 at 11:10 a.m.

In my last letter to the court, in which I requested an adjournment of my client's sentence, I had requested an adjournment to the week of August 14, 2019, with a date in the week of July 22, 2019 to submit Mr. Foozailov's sentencing memorandum. The Government had no objection to this request. Subsequently the court set the date of July 25, 2019 as the date for sentence and July 1, 2019 as the date to submit Mr. Foozailov's sentencing submissions.

I write to the court again, requesting that Mr. Foozailov's sentence be adjourned to the week of August 12, 2019 or anytime thereafter. The reason for my request is a letter that I received from my client's Rabbi, Rabbi Michael Cohen Ben Itzhak, the Chief Rabbi at Od Yosef Chai Synagogue asking me to request the adjournment. In his letter (attached hereto) Rabbi Cohen Ben Itzhak writes:

As you know we soon approaching a very important period on the Jewish calendar. The three weeks or as most of us know, Bein Ha-Metzarim, is a period of mourning and fasting commemorating the destruction of the first and second Jewish Temples. The Three weeks start on the seventeenth day of the Jewish month of Tammuz (July 20, 2019) which include "The Nine Days" that end on the Ninth day of the Jewish month of Av (August 12, 2019). During the entire Three weeks, certain activities are forbidden to Jews by the Jewish Law in order to decrease joy and inspire mourning over the destruction of the Temple. Celebrations, as well as any public gatherings, (which would include any court appearances) are just some of the activities that are prohibited during this time. We also hold special prayers during this period and we really need Albert to be part of these prayers.

I would like to ask you to move Albert's case over in court for after this period of time.

Therefore as to not conflict with any of the dates during this time period, I would be requesting that Mr. Foozailov's sentencing be adjourned to any date after August 12, 2019.

Thank you for your consideration in this matter.

Respectfully submitted,

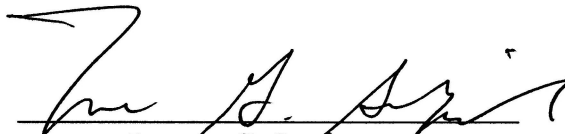
/s/

JONATHAN KAYE

cc. A.U.S.A. Noah Falk, by ECF
AUSA Andrew Mark Thomas, by ECF
USPO Robert Flemen, by ECF

Application Granted. Defendant Albert Foozailov's sentencing hearing is adjourned to October 10, 2019 at 11:10 a.m. Defendant's pre-sentencing submission shall be filed by September 16, 2019. The Government's pre-sentencing submission, if any, shall be filed by September 19, 2019. The Clerk of the Court is directed to terminate the letter motion at docket number 517.

Dated: June 28, 2019
New York, New York



LORNA G. SCHOFIELD
UNITED STATES DISTRICT JUDGE

CONGREGATION OD YOSEF CHAI



06/20/2019

Attn: Jonathan Kaye

My name is Rabbi Michael Cohen Ben Itzhak. I am the chief rabbi at Od Yosef Chai synagogue. I am writing today on behalf of our dear member Albert Foozailov. I personally have been watching Albert in last couple of months and the emotional roller coaster that he is going through is just heartbreaking. I spoke to Albert on several occasions and he informed me that you are the Attorney representing him in court.

As you know we soon approaching a very important period on the Jewish calendar. The three weeks or as most of us know, Bein Ha-Metzarim, is a period of mourning and fasting commemorating the destruction of the First and Second Jewish Temples. The Three weeks start on the seventeenth day of the Jewish month of Tammuz (July 20, 2019) which include "The Nine Days" that end on the Ninth day of the Jewish month of Av (August 12, 2019). During the entire Three weeks, certain activities are forbidden to Jews by the Jewish Law in order to decrease joy and inspire mourning over the destruction of the Temple. Celebrations, as well as any public gatherings, (which would include any court appearances) are just some of the activities that are prohibited during this time. We also hold special prayers during this period and we really need Albert to be part of these prayers.

I would like to ask you to move Albert's case over in court for after this period of time. Should you require further information, do not hesitate to call my office.

Rabbi Michael Cohen Ben Itzhak

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